

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION

WALTER STEWART,

Plaintiff,

vs.

CCC CROSSROADS CORRECTIONAL  
TRANSPORT OFFICER MR. WATTS,

Defendant.

CV 15-00044-GF-BMM-JTJ

ORDER

Plaintiff Walter Stewart is a prisoner proceeding in forma pauperis and without counsel. He has filed a document entitled “Objection,” which the Court has construed as a Motion for Reconsideration of the Court’s February 1, 2016 Order (Doc. 43) denying his January 28, 2016 Motion for Reconsideration and Motion for Leave to File Second Amended Complaint (Doc. 42) for failure to comply with Local Rule 7.1.

In his current motion for reconsideration, Mr. Stewart indicates that he contacted opposing counsel on January 6, 2016, prior to filing his motion. There is

still no indication in the motion whether counsel objects. Regardless, the Court must deny the motion and deny any request to file a second amended complaint. Although Mr. Stewart has represented in prior motions that he filed a proposed second amended complaint (Doc. 42 at 1), the Court cannot locate a proposed second amended complaint in the record.

The Court's Local Rules require that when a party moves for leave to amend or supplement a pleading, the proposed pleading must be attached to the motion as an exhibit. L.R. 15.1. Mr. Stewart has not provided a proposed pleading; therefore, it is impossible for the Court to know what claims he seeks to bring regarding the parties he seeks to add.

Based upon the foregoing, the Court issues the following:

### **ORDER**

1. Mr. Stewart's Objection (Doc. 44), construed as a Motion for Reconsideration of the denial of his Motion for Reconsideration and Motion for Leave to File Second Amended Complaint, is **DENIED WITHOUT PREJUDICE**.

2. At all times during the pendency of this action, Mr. Stewart must advise the Court and opposing counsel of any change of address and its effective date. Failure to file a notice of change of address may result in the dismissal of the

action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

DATED this 9th day of February, 2016.

/s/ John Johnston  
John Johnston  
United States Magistrate Judge